

THE INLAND WETLANDS COMMISSION OF THE TOWN OF AVON HELD A
REGULAR MEETING ON TUESDAY, JULY 5, 2011 AT THE AVON TOWN HALL.

Present were Cliff Thier, Chairman, Michael Beauchamp, Vice Chairman, Diane Carney,
Dean Applefield, Martha Dean, Bryan Short and John E. McCahill, Planning & Community
Development Specialist.

Jed Usich was absent.

Chairman Thier called the meeting to order at 7:02 pm.

OUTSTANDING APPLICATION:

There were no outstanding applications at this time.

NEW APPLICATION:

APPL. #716 – Robert Haines for Avon Self Storage, LLC/Avon Dreamer, LLC, owner, Robert Haines
for Avon Self Storage, LLC/Avon Dreamer, LLC, applicant: Requests within the 100' upland review
area: 1) Construction of a twelve foot (12') wide gravel emergency access path and related grading;
applicant also requests an area be removed from a previous designation of conservation area/restriction.
Location: 190 Old Farms Road and 230 Old Farms Road, Parcels 3360190 and 3360230.

Present were Robert Haines, Richard Case, Attorney and David Whitney, Consulting Engineers, LLC.

Mr. Case gave a brief history by stating that in June, 2008, a permit for the Avon Self Storage
expansion was granted by the Inland Wetlands Commission. He continued by stating that the permit is
valid for five years. Mr. Case stated that in 2011, the Planning & Zoning Commission granted a zone
change for the property.

Currently, there is an Special Exception application pending with the Planning & Zoning Commission,
on their July 19, 2011 agenda, and a request for site plan approval for the expansion of the self storage
facility and to permit filling and regrading in the floodplain.

The application before the Inland Wetlands Commission this evening is requesting a permit for
regulated activities for the construction of a twelve foot (12') wide gravel emergency connector with
two points of gated access, as requested by the Planning & Zoning Commission as part of the original
Sconsett Point approval. Mr. Case continued by stating the property is on the easterly side of Old
Farms Road. There will be approximately five hundred feet (500') of gravel installed from the northerly
end of the existing paved private road in Sconsett Point to the southerly end of the Avon Self Storage
paved roadway. The gravel emergency connector will follow the towpath constructed with the building
of the Farmington Canal in the 1800's, which is also, in an area that was previously disturbed for the
installation of underground utilities serving Sconsett Point.

The emergency access will be gated at each end of the gravel drive. Mr. Case stated that the Fire
Department will have the keys to the gates.

Mr. Case continued by stating that the Commission should have, in their possession, the comments from Steve Kushner, Director of Planning & Community Development, as well as, a memorandum from Jamie DiPace, Fire Marshal, recommending the completion of the emergency access connector from Sconsett Point to Avon Self Storage. The Fire Marshal, along with the Planning & Zoning Commission has requested the connection to create necessary access to and from both developments for public safety vehicles and residents in emergency conditions.

Mr. Case stated that the report from REMA Ecological Services, LLC, dated June 15, 2011, indicated that wetland functions will not measurably change and, therefore, there should be no adverse impacts to the wetlands.

Mr. Whitney stated that the current site plan he prepared for this application, which shows the proposed gravel emergency access, was not part of the original site plans submitted for Avon Self Storage, Phase 4. He continued by stating that there is an existing driveway stub, located in the southwesterly corner of the property, that was installed during Phase 3 of the construction for Avon Self Storage and, was expressly intended to one day be connected to Sconsett Point.

Mr. Whitney stated that the previous application #689 submitted to the Inland Wetlands Commission had requested a twenty two foot (22') wide connector road in a slightly different configuration. Mr. Whitney stated that the Commission had concerns with the previous proposal and the potential for adverse impact to the wetlands.

Mr. Whitney stated that the plans, at that time, had been modified to eliminate the emergency connector. The application being presented this evening is requesting a permit for regulated activities to allow the connector to be constructed to satisfy the concerns of the Planning & Zoning Commission and Fire Marshal regarding emergency access.

Mr. Whitney stated that the connector has been reduced from twenty two (22') wide, as in the previous application, to twelve feet (12'), which is the minimum width necessary for fire vehicles to pass. He continued by stating that the emergency gravel connector will be located along the berm which follows the path of the old towpath. There will be virtually no cuts or fills for most of the length of the emergency gravel connector. It will be constructed at existing grade, which is relatively flat.

Mr. Whitney stated the emergency gravel connector will be a crowned gravel road which will shed any water off each side, as Sconsett Point does currently. There will some grading necessary at the northerly end of the connector due to the existing 2:1 slope in this area. Silt fence will be used to protect the wetlands.

Mr. Whitney stated that there will be minimal impact to the wetlands. He continued by stating there will be three (3) significant trees which are necessary to be removed, located at the southerly end of the access drive. He reiterated that the gravel access road will be chained and/or gated at each end and the gravel road is intended for emergency access only.

Mr. Whitney stated that the Fire Marshal was particularly concerned about having emergency vehicles being able to access the proposed building #13 in the case of an emergency. Currently, there is only one way to get in or out of the property. This proposal will provide a second means of access for both locations.

Mr. Whitney stated that he has addressed the concerns itemized in John McCahill's memorandum, dated June 14, 2011, on his revised plans, also dated June 14, 2011.

Mr. Whitney, referring to the report from REMA, Ecological Services, LLC and dated June 15, 2011, stated that the emergency connector will be installed on a berm which has been disturbed in the past for

the installation of gas lines and water lines serving Sconsett Point. He also noted that plant species that now occupy the area of the proposed pathway/drive are mostly invasive species.

The report also states there would be no permanent adverse effects to the wetlands from the removal of three (3) trees from the area. He continued by stating that the proposed project would take about one (1) to two (2) weeks at the most and it would create only a temporary disturbance to the wetlands due to the noise and dust/exhaust.

Mr. Whitney stated that when the approval of Phase 4 for Avon Self Storage was requested, a small portion of the Conservation Easement area was removed in order to enable the construction of building #13. There was a modified Conservation Easement area created that was approved by the Inland Wetlands Commission for the purposes of application # 689. The modified Conservation Easement area is approximately one point four (1.4) acres larger than the previous Conservation Easement area. For the purposes of this application, which is a request to permit the construction of an emergency access connector, the applicant is requesting the removal of approximately two thousand feet (2,000') from the modified Conservation Easement area.

Mr. Whitney stated that there is a landscape plan, previously prepared by Rosemary Aldrich, that has been submitted with the application currently pending with the Planning & Zoning Commission, which will be revised to move the plantings to the side yard to allow for the construction of the emergency gravel connector and to comply with the landscape buffer requirement.

Mr. Applefield requested clarification as to how the modified Conservation Easement area will change.

Mr. Whitney responded by illustrating its location and sense of scale on the plans.

Mr. Applefield inquired as to why, when Sconsett Point was being developed, it was allowed to be developed without the emergency access road.

Mr. Haines responded by stating that the developer was able to satisfy the Planning & Zoning Commission with existing easements rather than the actual construction of the access connector. He continued by stating the Planning & Zoning Commission was satisfied with this solution at that time (approximately ten years ago).

Mr. McCahill added that, at that time, there were three distinct separate ownership holdings.

Mr. Applefield asked how the wetlands are going to be protected during construction of the gravel access road.

Mr. Whitney responded by stating that silt fence will be installed and reiterated that there will not be a lot of cutting and filling.

Mr. McCahill stated that he is satisfied that his comments have been addressed in the June 14, 2011 plan revisions. He continued by stating he has two suggested approval conditions and will present them when the time is appropriate.

Ms. Carney, referring to comment # 4 in John McCahill's memo dated June 14, 2011, inquired whether the proposed gravel emergency access drive will be gated.

Mr. Case reiterated it will be gated at both ends and the Fire Department will have keys.

Ms. Carney, referring to comment # 8 of the same memo, inquired as to whether this is the same storage facility approved by this Commission in 2008.

Mr. Whitney responded by clarifying what had been previously approved. He continued by stating that proposed building #14 had been eliminated and the plans were modified to accommodate a parking area for recreational vehicle storage. With the exception of the addition of the emergency gravel access, there have been no changes to the plans approved in 2008.

Mr. Case stated that there are two parts to this application which consists of connecting Sconsett Point to the area referred to as “the stub” on the Avon Self Storage property for emergency access and, safety and protection of the storage facilities.

Ms. Carney inquired as to who will cover the cost of the proposed connector.

Mr. Case responded that Mr. Haines is responsible for any costs.

Ms. Carney stated that she has issues with regard to who is responsible for the costs of the proposed project.

Mr. Case stated that the conditions for the Planning & Zoning Commission and Fire Marshal have to be met.

Mr. Whitney stated, in response to Mr. Beauchamp’s question asking if there are any other feasible locations for the emergency access connector, that the grade is too steep in all the other possible locations.

Mr. McCahill stated the two conditions which he recommended in reference to his memo dated June 14, 2011 are as follows:

- Item # 3: It appears that there may be the need to remove a few trees and/or do selective trimming of trees (especially towards the south end of the proposed gravel drive). Mr. McCahill suggests that this should be subject to Town Staff approval prior to the removal.
- Item # 7: Additional information should be provided for the request of an area to be removed from previous designation of conservation/restriction. Mr. McCahill suggests that Town Staff should review the modifications to the Conservation Easement prior to it being filed with the Town Clerk.

Mr. Case stated that he has submitted the DRAFT copies for the modifications to the Conservation Restriction area and he will submit the “mathematized” plans once the plans and approved process are complete.

Four neighbors from Sconsett Point were present to state some concerns: Mr. Cohen, Mr. Bales, Mr. Divin and Mr. Steele.

Mr. Cohen inquired if the parking lot for the recreational vehicles is not constructed as part of the current application, will the applicant have to submit a new application to this Commission to build building #14 in the future.

Mr. McCahill stated that the approval granted in 2008 is valid for five years. The applicant would not have to submit a new application to this Commission. He continued by stating that any modifications to the current plan may require a new application to the Planning & Zoning Commission.

Mr. Cohen stated that it is the consensus of the neighbors present that the road is not needed. The concern is the area has been troubled with the collection of debris, trash, the dumping of leaves and sticks from non residents of Sconsett Point. Mr. Bales added that if the gravel access connector is constructed, there is the potential for the problem to be aggravated.

Mr. Thier stated that the jurisdiction for this Commission extends to the oversight of issues that have the potential to impact the wetlands.

Mr. Cohen stated that the wetlands are being impacted due to the trash being dumped.

Mr. McCahill reiterated that the Planning & Zoning Commission and the Fire Marshal have both recommended the construction of the emergency access connection for public safety.

A brief discussion followed with regard to the possible locations of the gate on the Sconsett Point property.

Mr. Divin stated that he is in support of a gate at both ends of the proposed emergency access connector to protect the wetlands from potential dumping of trash and the accumulation of debris.

It was confirmed that there will be a gate at either end of the connector.

Mr. Applefield made the motion to approve application # 716 with the conditions noted by Mr. McCahill and the standard conditions. Mr. Short seconded the motion. The motion was approved five to one with Mr. Thier, Mr. Applefield, Mr. Short, Mr. Beauchamp and Ms. Dean voting in the affirmative. Ms. Carney voted in opposition to application #716.

APPL. #717 – Old Avon Realty LLC c/o John Liberator, owner, Capitol Region Education Council, John Mena, applicant: Requests within the 100' upland review area: 1) Construction of parking spaces; with related clearing, grubbing, grading, filling and excavation. Location: 59 Waterville Road (current address, to become known as 20 Avonwood Road), Parcel 4500059 (current parcel number, to become known as parcel number 1220020).

Present were John Mena, Capitol Region Education Council, Luke J. McCoy, Friar Associates, Inc., Rob Ulman, Purcell Associates, John P. Ianni, Highland Soils, Inc.

Mr. McCoy, Landscape Architect, stated that the Capitol Region Education Council (CREC) is proposing moving their school, currently located on Fisher Drive, to a new school facility to be located at the intersection of Waterville Road and Avonwood Road. He continued by stating that CREC has submitted a full set of site plans, which include the alternative site plans which were considered. The current site plan locates the proposed school in an area on the property that is set back from the heavy traffic on Waterville Road and the existing neighbors.

Mr. McCoy stated that there is currently a pending application with the Planning & Zoning Commission requesting a subdivision of the property. The existing building identified as Le Jardin will be located on its own separate property. The cider mill and the red barn will be removed and there will be approximately nine (9) acres designated for the CREC school site proposal.

Mr. McCoy, referring to the site layout plan dated June 6, 2011 and revised through June 8, 2011, gave a brief overview of the proposed site plan.

Mr. McCoy stated that the Wetland Disturbance Plan, dated July 5, 2011 and distributed to the Commission this evening, illustrates the limit of disturbance/clearing proposed in the southeasterly corner of the property, as shaded in pink. Mr. McCoy continued by describing the regulated activities associated with the proposed parking area, utilities and grading that will be occurring in the one hundred foot (100') regulated area and stated that there will be no disturbance of the wetlands.

Mr. Ulman, Professional Engineer, stated that the drainage analysis plans, prepared by Purcell Associates and dated May 26, 2011, identified five (5) major areas of existing conditions/design points used for the drainage calculations. These areas have been identified as Areas 1 through 5. Drainage in Area 1 flows in a northwest direction. Drainage in Area 2 flows in a southwest direction. A portion of

Area 3 and Area 4 drain to an existing basin on Waterville Road (Route 10), identified as Area 5, located in the southeast corner of the property.

Mr. Ulman stated that the proposed drainage plan remains consistent with the current drainage flow patterns to ensure the nature of the drainage patterns on this site remain in tact. He continued by stating that any runoff of water from the roof, parking lots or overland flow will be directed to a surface detention basin located in Area 1C of the proposed conditions plan to help mitigate the peak flows. The detention basin will discharge in the same natural direction in which the natural pattern of runoff currently discharges.

Mr. Ulman stated that the majority of the drainage on the proposed developed site will be collected through a drainage system, which will then be routed through a sub-surface pervious detention system, which will be connected into the existing drainage system on Waterville Road. He continued by stating that the drainage pattern for Area # 4 will be left as it currently exists. The water flow in each area, during peak flow, will be reduced from the existing conditions through the detention systems in order to maintain, as much as possible, the natural occurring flow of water.

Mr. Ulman stated that prior to discharge into the drainage detention basins they will have a hydro-dynamic separator which will remove any oils or sediment that collects in the closed system from the stormwater.

Mr. Ianni, Soil Scientist, stated that the initial field study was conducted on March 28, 2011. The wetlands were delineated and an extensive study of the soils was conducted on the property at that time. Mr. Ianni continued by stating that area # 2, identified in his report dated June 22, 2011, is a defined watercourse channel along Waterville Road and conveys both storm water runoff and the runoff from Lake Erie located to the south of the site.

Mr. Ianni, referring to area # 1 in his report, stated that the area is located in the southeastern portion of the site, just south of a former gravel driveway. The remnants of a gravel driveway are still visible, although vegetation has overgrown most of the pathway. The target area is currently wooded and it did not meet the requirements for classification as regulated wetland soil.

Mr. Ianni, referring to area # 3 in his report, stated that there is a large hill in the north center of the site that is currently wooded. He continued by stating that this area is mostly devoid of vegetation with the exception of the periphery of the filled flat area. Over two feet of disturbed soils (fill material) were noted in the depressed area and no naturally occurring or original soils were encountered. He continued by stating that the remainder of the area appeared to be stripped of the top two feet of soil. This area was a sandy material with no soil mottles or ground water indicators.

Mr. Ianni reiterated that during the initial field study on March 28, 2011, the property boundaries were identified and an extensive study of the soils was conducted. Upon discussion with the project surveyor, it was discovered that the northern property line was further north than the preliminary mapping indicated. On April 4, 2011, an additional field survey was conducted along the northern property line. Mr. Ianni stated that he met with the project surveyor in the field and, the property lines were verified.

Mr. Ianni stated that on June 21, 2011 an additional site visit was conducted to further verify three potential wet areas that were identified during a 1996 study of the property conducted by George Logan, REMA Ecological Services, LLC. It should be noted that older wetland flags were identified on the property during the April 4th site walk. Although older flags were recognized, Mr. Ianni

determined the area did not meet the criteria for inclusion as a regulated wetland area. Mr. Ianni continued by stating that he confirmed that the area was not a regulated wetland.

Mr. Ianni stated that beyond the northwest corner of the property there is an existing detention basin, located approximately two hundred feet (200') to the west of the property line. The detention basin has a high-level overflow pipe that directs surface water into an area in question. During the field investigations in March, April and June, the water level in the basin was well below the outlet pipe. The flared end of the outlet pipe has been undermined and has separated from the remaining pipe section. A scour hole has formed and evidence of erosion was noted. Mr. Ianni continued by stating that although a scour hole has developed at the outlet of the pipe, there was no erosion down gradient of the pipe. He also noted the evidence of ongoing sediment accumulation.

Referring to Area # 4 of his report, Mr. Ianni stated that during the March and April site visits, a ten foot (10') diameter circle of shallow ponded water (approximately two to four inches deep) was noted. No surface water was present during the June site visit. There was a thick accumulation of silt within the low point where the surface water was noted. The silt appears to be the result of the ongoing erosion at the pipe discharge which is beyond the property. The accumulation of silt has resulted in low infiltration rates which can lead to occasional surface ponding of water. This appears to be more of a winter condition when the detention basin may be full or the water surface is iced over. No wetland vegetation was noted in the area. Mr. Ianni also noted that the soil profile at the low point was not saturated even though surface ponding was present. He continued by adding that, in his opinion, the three (3) area previously delineated as wetlands in Mr. Logan's 1996 report, were determined not to be wetlands. Mr. Ianni noted that at the time of Mr. Logan's report, there was evidence of wet meadow vegetation. He continued by stating that currently the area is comprised of wooded vegetation.

Mr. Ianni concluded that, as the project is currently designed, there will be no direct wetland impacts. He reiterated that the only wetland area on the site is located in the southeastern corner of the property. The function of this regulated wetland resource is associated with storm water conveyance and, no activity proposed will interfere with the primary function. He continued by stating that the storm water management system has been designed in accordance with the State of Connecticut Storm Water Quality Manual. Two (2) detention/water quality treatment structures are indicated for this proposed project. The majority of the runoff from the parking areas will be directed to an underground detention structure. A water quality structure is proposed at the inlet to the detention area.

The water quality structures have been sized to remove a minimum of eighty percent (80%) of Total Suspended Solids and they meet the water quality renovation requirements. One detention basin will be located towards the southeast portion of the property. The second detention basin is a surface basin that will treat a small area of the parking lot and roof runoff from the building. This detention basin will outlet to the area that was previously discussed (Area # 4). The detention basin outlets to a man-made depression that has the capacity to store surface water without any potential for surface run-off to the south. The off-site detention basin also discharges to the same man-made depression. There is the potential, if enough water is discharged, for this area to support wetland vegetation. There will be approximately six feet (6') of water storage.

Mr. McCahill stated that he has not had the opportunity to review the applicants responses to his comments dated June 16, 2011, which were distributed at this meeting, and inquired as to whether the Commission would like the applicants to elaborate on their responses.

Mr. McCoy identified the reports/maps that were distributed this evening: Applicant Comments Raised by the Planning and Community Development Specialist (in his June 16, 2011 memo) dated July 1, 2011; Wetland Report for the Reggio Magnet School for the Arts, prepared by Highland Soils, LLC dated June 22, 2011; Wetland Disturbance Plan, prepared by Friar Associates dated July 5, 2011.

Mr. Thier stated that the policy of the Inland Wetlands Commission requests that, to allow for adequate review time, application revisions or additions should be submitted seven (7) days in advance of the meeting. Mr. Thier stated that any questions regarding the applicant's response to Mr. McCahill's memo will be reserved for the next meeting to allow the Commission and Town Staff the opportunity to review the information presented this evening.

Mr. Mena asked what is the date for the next Commission meeting.

Mr. Thier responded by stating the next meeting will be September 6th.

Mr. Mena stated that the Planning & Zoning Commission cannot act on the applications pending with their Commission until the Inland Wetlands Commission makes a decision on this application. He continued by stating that the applicants have been working with Town Staff over the past two (2) to four (4) months. The details distributed this evening are of a "follow-up/clean-up" nature.

Mr. McCahill stated that the Commission's policy regarding the submittal of revisions, as additional information, was stated as the final item in his June 16, 2011 memo. He continued by stating, it was his understanding, that a third soil scientist will also be submitting additional information which would be important for this Commission to have.

Mr. Mena stated that the timing of the next meeting can place somewhat of a hardship on the applicant due to the strong opinions expressed by some residents.

Mr. McCahill stated that the applicant has to acknowledge that an extension will be granted to allow this Commission to continue the hearing on this application until September. If the applicant does not grant an extension, the Commission will be obligated to make a decision on the application this evening. The Commission has sixty-five (65) days to conduct the hearing on this application. The September 6th meeting will be the sixty-third (63rd) day. The statute states that the Commission has to close the hearing within thirty-five (35) days unless an extension is granted by the applicant.

Mr. McCoy, after a discussion, with his constituents, requested an extension of the hearing to the September 6, 2011 meeting.

APPL. #718 – Sunlight Construction, Inc, applicant; Town of Avon, owner: Requests within the 100' upland review area: The installation of a new eight inch (8") sanitary sewer main in Haynes Road in the vicinity of the following areas: 1) Lower Big Brook – 75, 81 & 87 Haynes Road; 2) Haynes Road loop and Brook – 102, 103, 111 & 255 Haynes Road; 3) Haynes Road & Spring Brook Drive – 129, 135, & 141 Haynes Road; 4) Upper Big Brook – 219, 225, 231, 237 & 243 Haynes Road. Location: Haynes Road 50 foot (50') right-of-way, Parcel N/A – Town owned Public Roadways.

Present was Matt Brown, Town of Avon Assistant Town Engineer, representing Sunlight Construction, Inc. and the Town of Avon.

Mr. Brown stated that the Town has designed eight thousand one hundred thirty five feet (8,135') of proposed sanitary sewer main line for Sunlight Construction, Inc. to alleviate concerns with the failing septic systems on Haynes Road. Mr. Brown stated that Sunlight

Construction, Inc., the developer for the new home construction on Knoll Lane, will be covering the costs of the installation for the proposed sanitary sewer main line. Mr. Brown continued by stating that in return for this work, the Town of Avon committed to do the design work associated with the project.

Mr. Brown stated that the proposed sewer main line will commence in the rear of the Apple Health property, located at 652 West Avon Road, by connecting into an existing sanitary sewer line. The proposed sewer line would then follow a path along the north side yard of the property, head southerly along West Avon Road, then cross easterly to Haynes Road. The proposed sewer main line will be installed in the middle of the Haynes Road right of way.

Mr. Brown stated that the four wetland activities identified in the application will have minimal impact to the wetlands.

Mr. Applefield, referring to the description of the wetlands in the Environmental Impact Statement received June 16, 2011, inquired as to how the wetlands were identified. He continued by quoting that the “designated wetland boundaries were deciphered from the Town of Avon Inland Wetlands and Watercourses Map”.

Mr. Brown stated that the wetlands were identified using the official Town of Avon Inland Wetlands and Watercourses Map.

Mr. Applefield stated that he is unclear as to whether, a requirement of the Inland Wetlands Commission for a site(s) to be flagged by a soil scientist, was completed.

Mr. McCahill responded by stating that this would require a soil scientist to trespass on a number of the residential properties on Haynes Road within the one mile area associated with this project. He continued by stating that the Town only owns the fifty foot (50') right of way associated with Haynes Road. Mr. McCahill stated that the activities are strictly limited to the existing roadway. It did not make sense to re-designate the wetlands since this had already been considered in the recently approved application for The Avon Water Company in April, 2011.

Mr. Applefield stated that it is not the activities in the middle of the road that concern him but, there are three or four crossings, directly beneath a watercourse, which are of concern.

Mr. McCahill responded that the crossings to which Mr. Applefield referred are existing piped crossings located underneath the road.

Mr. Brown added that there is no watercourse under the existing pipe. The installation of the sewer main line will be placed under the existing pipes. He continued by stating that there is no disturbance to any area with surface water flow.

Mr. McCahill clarified by stating that the proposed activities are within the one hundred foot (100') regulated area but, there will be no direct impact to the wetlands.

Mr. Beauchamp inquired as to why the proposed sewer main line could not be installed simultaneously with The Avon Water Company water main project.

Mr. Brown responded by stating the The Avon Water Company is digging close to an AC (asbestos cement) water main which is very fragile. The Avon Water Company requested that the proposed sewer project wait until the first one thousand feet (1000') of new water main went live on the new cast iron pipe. The Avon Water Company also did not want any blasting near the old water main.

Mr. Short inquired about Town supervision of the proposed project, as stated in the application.

Mr. Brown responded that Town Staff will be on site everyday monitoring activities.

Mr. McCahill stated that Town Staff will be very involved in this project as the Town will own the sewer main line after construction and, it is on Town owned property.

There being no further comments, Mr. Thier asked if there was a motion to approve this application.

Mr. Beauchamp made the motion to approve application # 718 with the standard conditions any the conditions stated in the June 16, 2011 memorandum from John McCahill. The motion was seconded by Ms. Carney. The vote was unanimous with Mr. Thier, Mr. Beauchamp, Mr. Short, Mr. Applefield, and Ms. Carney voting to approve. Ms. Dean was not yet present for this vote.

COMMUNICATIONS FROM THE PUBLIC:

There were no communications from the public at this time.

OTHER BUSINESS:

There was no other business at this time.

STAFF COMMENTS:

There were no Staff comments at this time.

Authorized Agent Approvals:

Mr. McCahill stated that, on June 29, 2011, he issued an Authorized Agent Approval for the property located at 165 Secret Lake Road. The owner, Stephen Miller, had submitted an application to install two (2) decks off the rear of the existing house. One deck is twelve feet (12') by twenty eight feet (28') and the other is four feet (4') by twenty feet (20'). Each deck is approximately twenty feet (20') to thirty feet (30') away from Secret Lake, with a fairly vegetated lawn between the lake and the proposed decks. He continued by stating that the decks will be placed on piers. Any excavated materials will be removed uphill, away from the lake. Silt fence will be installed, as needed, to protect the wetlands. The legal notice will be published on July 7, 2011. Mr. McCahill stated that he had pictures of the site available for the Commission's review. There were no issues or questions from the Commission.

Mr. Applefield asked if an application is denied by the Inland Wetlands Commission, can the applicant submit a new application which is identical to the one denied.

Mr. McCahill stated that, in his opinion, an identical application can be submitted.

The possibility of "denial without prejudice" was discussed but no conclusions were determined.

APPROVAL OF MINUTES: June 7, 2011

Chairman Thier asked if there were any corrections to the minutes. There being no corrections, Mr. Applefield made the motion to approve the minutes. The motion was seconded by Ms. Carney. The minutes were approved by Mr. Thier, Mr. Beauchamp, Ms. Carney, Mr. Applefield, Ms. Dean, and Mr. Short.

NEXT MEETING: September 6, 2011

There being no further business, the meeting was adjourned at 8:18 pm.

Respectfully submitted,

Judy Schwartz, Clerk